

REMARKS

Applicants have substituted a paragraph of the specification to a correct clerical error.

Applicants have cancelled claims 18-43 without prejudice or disclaimer. Applicants have amended claims 1-7, 9-11 and 13-17 and has added claims 44-46. Thus, claims 1-17 and 44-46 are currently pending.

Applicants have amended claim 1 to provide language consistent with the language recited in the claims depending therefrom. Specifically, Applicants have replaced "anionic polymer" with the term "polyanion" and "cationic polymer" with the term "polycation". The substituted terms are merely contractions of the deleted terms. Applicants have made a similar amendments to claims 4, 5, 7 and 13-16.

Applicants have also amended claim 16 to recite language which further limits claim 15.

Claim Objections

Applicants have amended claim 10 pursuant to the Examiner's objection. However, please note, Applicants respectfully disagree with the characterization that the construction or dependency of claim 10 is improper.

35 U.S.C. §112 Rejections

Claims 2, 3 and 6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Applicants have amended claim 2 to define the invention of claim 2 with greater particularity. Specifically, Applicants have substituted the language "negatively charged anionic groups" for the phrase "polyanion acid groups" and the language "positively charged cationic groups" for "polycation groups". Applicants have made a similar amendment to claims 3 and 6.

Applicants have also amended claim 2 to provide proper antecedent basis for the limitations as amended.

Further, Applicants have amended claim 6 to indicate clearly to what the phrase "about 1 per 50 units" refers. Specifically, Applicants have replaced "crosslinked density" with the phrase "cross-link ratio" and the phrase "1 per 50 units" with "1:50". Applicants respectfully note that the phrase "crosslinked density" is a term of art used to indicate the ratio of crosslinked repeat units to total number of repeat units per polymer molecule. Applicants submit that "crosslinked density" is commonly expressed as a ratio by those of ordinary skill in the art. Here, the "crosslinked density", or "cross-link ratio", is up to about 1 negatively charged anionic group per 50 negatively charged anionic groups. Thus, in amended claim 6, the "cross-link ratio" is expressed as "1:50".

For these reasons, Applicants request that the rejections pursuant to 35 U.S.C. 112 be withdrawn.

35 U.S.C § 103 Rejections

Claims 1-3 and 8-17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,338,406 to Smith. Further, claims 4-7 and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of U.S. Patent No. 3,660,338 to Economou. The rejections under 103(a) are respectfully traversed.

The Examiner states in the Office Action that Applicants' range of cationic polymer is described by Smith. Applicants respectfully disagree. As stated by the Examiner, Smith teaches a cationic polymer charge density in the range of 0.2 to 4 meq/gram. Applicants' range is about 6 to about 12 meq/gram. Applicants respectfully submit that the term "about" should be narrowly interpreted. By way of illustration, the difference between 6 meq/gram and 4

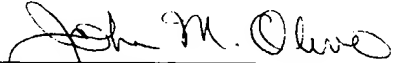
meq/gram, which is the upper end of the range described by Smith, i.e. 2 meq/gram, is significant as it is a 50% increase in overall charge. Applicants submit that the term "about" should not be interpreted to cover such a large deviation in charge. The term "about" should be narrowly interpreted so as to provide for at most a 0.5% variance at both the upper and lower ends of Applicant's range, i.e. 5.5 meq/gram for about 6 meq/gram and 12.5 meq/gram for about 12 meq/gram, whereby when rounded to the significant figures set forth in original claim 1, 5.5 becomes 6 and 12.5 becomes 12. Moreover, one of ordinary skill in the art would reasonably be apprised that the scope of independent claim 1 does not include deviations in charge of this magnitude. Thus, Applicants' range should be found to be beyond the range described by Smith.

As Smith does not teach or suggest all of the limitations of independent claim 1, the claim should be found allowable. Accordingly, all claims which depend therefrom should also be found allowable. Thus, Applicants respectfully request that the Examiner withdrawal the 103(a) rejections based on Smith and the combination of Smith and Economou.

Applicants submit that all the claims are believed to be in a condition for allowance. Reconsideration is respectfully requested.

Respectfully submitted,

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Date


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